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18
19 UNITED STATES DISTRICT COURT
20 EASTERN DISTRICT OF CALIFORNIA
21 SACRAMENTO DIVISION

22 MICHAEL JAMES PROVOST,) CIVIL NO. 2:21-cv-00512-AC (SS)
23 Plaintiff,)
24 v.) STIPULATION TO VOLUNTARY
25 KILOLO KIJAKAZI,) REMAND PURSUANT TO SENTENCE
26 Acting Commissioner of Social Security,) FOUR OF 42 U.S.C. § 405(g) AND TO
27 Defendant.) ENTRY OF JUDGMENT; [PROPOSED]
28 ORDER

29
30 IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Kilolo
31 Kijakazi, Acting Commissioner of Social Security (“Defendant”), through their undersigned
32 counsel of record, that the above-entitled action shall be remanded to the Commissioner of
33 Social Security for further administrative proceedings.

34 Upon remand, the Office of Hearing Operations will remand the case to an
35 Administrative Law Judge (ALJ) for a new decision, and instruct the ALJ to re-evaluate the
36 evidence of record. In doing so, the ALJ will offer Plaintiff the opportunity for a new hearing,

take further action as necessary to complete the administrative record, and issue a new decision. The parties further request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

Respectfully submitted this 4th day of March 2022.

Dated: March 4, 2022

* /s/ Jesse S. Kaplan

Jesse S. Kaplan

Attorney for Plaintiff

*Authorized via e-mail on March 4, 2022

Dated: March 4, 2022

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Of Counsel

By: /s/ Kendall Rees

KENDALL REES

Special Assistant United States Attorney

Attorneys for Defendant

ORDER

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand.

DATED: March 7, 2022

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE